THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.17009 of 2005

Between:

Goondal Gangaram and another

.. Petitioners

and

The Mandal Revenue Officer and another

.. Respondents

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.17009 of 2005

O R D E R:

This writ petition is filed seeking a direction to the respondents not to dispossess the petitioners in pursuance of the proceedings of the first respondent-Mandal Revenue Officer, Morthad Mandal, Nizamabad district, dated 10.06.2005, pending appeal before the second respondent-Revenue Divisional Officer, Nizamabad.

It is the case of the petitioners that the first petitioner, one late Smt. Dharmajipet Gangubai alias Gangu W/o.Gangaram and late Narsa Goud, S/o. Ganga Goud were assigned government lands to an extent of Ac.1.08 guntas, Ac.1.07 guntas and

Ac.1.07 guntas respectively by the first respondent. After the assignment, the first petitioner and the second petitioner, who is the daughter of Smt Dharmajipet Gangubai and the wife of Narsa Goud, brought the said lands under cultivation. While so, the first respondent issued a show cause notice on 19.05.2005 alleging contravention of Sub-Section (2) of Section 3 of the A.P. Assigned Lands (Prohibition of Transfers) Act, 1977. The petitioners submitted their explanation to the said show cause notice. But, the first respondent on 10.06.2005 without considering the explanation, passed orders canceling the assignment in favour of the petitioners. Aggrieved by the same, the petitioners preferred an appeal before the second respondent-Revenue Divisional Officer, Nizamabad on 07.07.2005. Pending disposal of the said appeal, as the first respondent is trying to dispossess the petitioners from their lands, they have come up with the present writ petition.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

The grievance of the petitioners is that though the appeal filed by them is pending before the second respondent, the first respondent is trying to dispossess them from their lands.

After considering the facts and circumstances of the case, I deem it appropriate to direct the second respondent to dispose of the appeal pending on his file, within a period of 12 weeks from the date of receipt of a copy of this order after giving an opportunity of being heard to the petitioners and the affected parties. Till such time, the first respondent is directed not to dispossess the petitioners from their respective lands.

The writ petition is accordingly disposed of at the stage of admission.

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02.08.2005

kdl